

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

JAMES SMALLEY,

Plaintiff,

vs.

MICHAEL GAMACHE, et al.,

Defendants.

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Case No. 4:10CV319 RWS

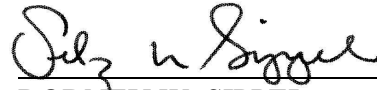
**MEMORANDUM AND ORDER**

This matter is before the Court on plaintiff's "third motion for state intervention." In this motion, plaintiff again complains about his the conditions of his confinement in a Missouri state correctional facility. Specifically, plaintiff alleges that he has been subject to retaliation, harassment, false conduct violations, and the denial of access to the courts while in state custody. Plaintiff also claims that he has been placed in administrative segregation and has not had sufficient time to use the prison library.

I previously denied plaintiff's motions because plaintiff's allegations are not directed toward any of the defendants. In this case, plaintiff has sued the deputy sheriff and five sheriffs at the St. Louis City Justice Center for his alleged mistreatment while a pretrial detainee. As I said before, these defendants are not employed by the State of Missouri and have no control or authority over the state correctional facility where plaintiff is being housed. The Court still cannot order the relief sought by plaintiff in this case, so the motion will be denied.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's third motion for state intervention [#54] is denied.

A handwritten signature in black ink, appearing to read "Rodney W. Sippe", written over a horizontal line.

RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 1st day of December, 2011.